

MAY 12, 2004

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, May 12, 2004, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
CHARLES W. AHREND, Election District #2
DEE E. FLOYD, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

JOSEPH S. PAXTON, County Administrator
G. CHRIS BROWN, County Attorney
STEPHEN G. KING, Deputy County Administrator
JAMES L. ALLMENDINGER, Director of Finance
WENDELL J. EBERLY, Director of Recreation and Facilities
JENNIFER M. HOOVER, Director of Public Works
FRANKLIN P. O'BYRNE, Director of Information Systems
STEPHEN R. RIDDLEBARGER, Director of Human Resources
ROBERT A. SYMONS, Director of Fire & Rescue
WILLIAM L. VAUGHN, Director of Community Development
DIANA M. STULTZ, Zoning Administrator
DOTTIE L. BOWEN, Deputy Clerk
DONALD F. KOMARA, Resident Engineer
Virginia Department of Transportation

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CALL TO ORDER
PLEDGE OF ALLEGIANCE AND INVOCATION.

Chairman Ahrend called the meeting to order at 3:00 p.m.

County Attorney Brown led the Pledge of Allegiance, and Supervisor Breeden gave the invocation.

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STUDENTS WELCOMED.

The Board welcomed students from Turner Ashby High School government classes.

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APPROVAL OF MINUTES.

On motion by Supervisor Kyger, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; with a correction to show Supervisor Ahrend as the Chairman on page 30, the Board approved the Minutes of the Regular Meeting held on April 28, 2004.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department.

He introduced Timmy Fitzgerald, the new Assistant Resident Engineer.

Supervisor Kyger noted that he and Mr. Komara recently toured District 4, and he indicated his desire that Mr. Komara follow through on some of the problems pointed out at that time.

Supervisor Cuevas suggested that, if the necessary people did not want to participate in improvements to Route 620, consideration should be given to using available funds elsewhere. In response to his inquiry regarding Springbrook Road, Mr. Komara said it would be "re-striped."

In response to a question from Supervisor Floyd, Mr. Komara said the project for the intersection of Port Republic Road and Shenlake Drive is in the design stage.

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HEALTH INSURANCE PROGRAM.

The Board heard a report concerning the County's health insurance program by Mr. Jerry Sheets, BB&T, Shomo & Lineweaver Financial Services. Mr. Sheets reviewed a five-

year history of premium changes, trends in health care, factors influencing those trends, benefit changes since 1998, a five-year history of claims experience, a three-year history of large claims, a three-year history of utilization factors, demographic changes, major expenses by diagnosis, pharmacy usage factors, and a comparison of health insurance premiums with nearby local governments and organizations.

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COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Mr. Paxton's staff report dated May 7, 2004, including information on meetings with Coors officials, Morningstar Plant Manager, Harrisonburg City staff, and Pilgrim’s Pride officials; the Tributary Strategies Plan for the Shenandoah River; and State Budget status.

He advised of a letter from the National Association of Counties (NACo) concerning the County’s voting credentials for the 2004 NACo Conference. On motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - OUT OF THE ROOM; FLOYD - AYE; KYGER - AYE; the Board designated Mr. Paxton as the County’s Voting Member and Chairman Ahrend as its Alternate.

Mr. Paxton reported that a dentist from Northern Virginia whose office was lost recently in a fire has agreed to accept the vacant position at the Health Department, at least temporarily.

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COUNTY ATTORNEY’S STAFF REPORT.

Mr. Brown did not have new information to report.

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DEPUTY COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Mr. King’s staff report dated May 7, 2004, including information concerning

VDOT signage and additional furniture needed to equip the District Courts building.

On motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board awarded a bid for additional furniture to equip the newly renovated portion of the District Courts building to Pifer Office Supplies, the low bidder, in the amount of \$35,697.70. Funds are included in the renovation project budget for this equipment.

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FINANCE DIRECTOR'S STAFF REPORT.

Mr. Allmendinger did not have a written report.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as requested by the School Superintendent and recommended by the Finance Committee, the Board approved a transfer of \$450,000 from the School Fund to the School Textbook Fund (fund 201 to 203) to provide the local funds needed for the textbook program for the next fiscal year.

Supervisor Cuevas asked Mr. Allmendinger to provide further information on the textbook program, including answers to the following questions. Are there guidelines used to establish the committee that reviews the textbooks? Are there criteria given to the background qualifications of the parent reviewers? What is the average cost per year for replacement of the books? If technology has driven education in such a way that the views of more and more people are used, has there been a difference in printing textbook material?

On motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as requested by the Director of Social Services and recommended by the Finance Committee, the Board approved a budget reduction in the amount of (\$97,000) for VIEW (Virginia Initiative for Employment not Welfare), as follows. This reduction to the budget is made because the funds were not needed and, therefore, returned to the State Department.

(\$80,000) GL Code: 220-05302-100-5722-000 Child Day Care-Fee System
(\$15,000) GL Code: 220-05302-100-5750-000 TANF Ed/Train-Non-Jobs Matching
(\$ 2,000) GL Code: 220-05302-100-5751-000 TANF Ed/Train Jobs Matching

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Ms. Hoover's staff report dated May 7, 2004, including information concerning progress on the sewer project for Route 11 North; Lilly Gardens; Countryside water system; Penn Laird Drive and Water Tower Road sewer; Lakewood/Massanetta Springs pump station, Spotswood High School waterline extension, Wal-Mart water and sewer project, Three Springs back-up power, the Grottoes Container Site and the City of Harrisonburg Waste to Energy Plant.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Public Works Committee, the Board approved the proposal from Peed & Bortz to prepare design plans, technical specifications, and bid documents for the 1.5 MG tank to be located at Spotswood High School, including construction administration for the project, in the amount of \$38,500. Funds are included in the current fiscal year's budget.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Vaughn's staff report dated May 6, 2004, including information concerning Planning Commission activities, draft Subdivision Ordinance, projects underway and tabled requests.

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INFORMATION SYSTEMS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. O'Byrne's staff report dated May 6, 2004, including information concerning projects for the ICHRIS server, the Courthouse, videoconferencing, Web Page re-redesign, Eden Gold Financial software upgrade, Personal Property software installation for the Commissioner of the Revenue Office, Real Estate/Reassessment/Land Use software installation for the Commissioner of the Revenue Office; DOS-based software retirement, Regional Jail VPN installation, Landfill software upgrade, Real Estate bills for 2004, and desktop computers for the Commissioner of the Revenue Office.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Symons' staff report dated May 6, 2004, including information concerning training, meetings attended, infection control, projects, prevention division activities, and public education.

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RECREATION AND FACILITIES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Eberly's staff report dated May 5, 2004, including information concerning the Technology & Industrial Park, the Plains District Community Center, District Courts renovation project, Convention and Visitors Bureau building renovations, Recreation programs, and upcoming programs - summer playgrounds and sports camps.

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COMMITTEE REPORTS.

The Board heard committee reports from Board members and staff.

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CLOSED MEETING.

On motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by the following vote: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; and KYGER - AYE; the Board recessed the meeting from 4:35 to 5:19 p.m. to discuss consideration of the disposition of publicly held real property and for discussion concerning the expansion of existing businesses and location of a new business where no previous announcement has been made as set forth by Virginia Code Section 2.2-3771(A)(3) and (5).

At 5:19 p.m., Chairman Ahrend called the meeting back to order and the following motion was adopted.

MOTION: SUPERVISOR KYGER RESOLUTION NO: X04-05
SECOND: SUPERVISOR BREEDEN MEETING DATE: MAY 12, 2004

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:
AYES: AHREND, BREEDEN, CUEVAS, FLOYD, KYGER
NAYS: NONE
ABSENT: NONE

Dottie L. Bowen, Deputy Clerk

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**CONSIDERATION OF DISPOSAL OF COUNTY-OWNED PROPERTY AT
2 SOUTH MAIN STREET, HARRISONBURG, VIRGINIA.**

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized staff to engage in the process of giving consideration to advertising a public hearing for the disposal of the County's property located at 2 South Main Street, Harrisonburg, Virginia. As the County School Administration offices are located in this building, the Board asked the County Administrator to maintain close communication with the School Superintendent and School Board regarding this matter

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INFORMATION ITEMS.

The Board received the following Information Items from the County Administrator:

- a. Notification dated April 13, 2004, from Sheriff regarding State Compensation Board's approval of his Exception to Policy request and additional request for transfer of funds.
- b. Letter dated April 26, 2004, from VDOT regarding the statute governing taking certain streets into the secondary system of state highways, commonly referred to as "rural additions."
- c. Letter dated April 30, 2004, from Virginia Employment Commission, regarding Notice of Obligation for Local Workforce Investment Area to spend funds for WIA Youth programs.
- d. Building Inspections Report for April 2004.

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ADJOURNMENT.

By consensus, the Board adjourned the meeting at 5:22 p.m.

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Chairman